

Under any circumstances, the death or injury of a loved one is difficult. Coping when the death or injury occurs in a foreign country can be even more difficult and frustrating. The Department of State (DOS) is responsible for handling notification of a death or severe injury to victims' families and for providing immediate assistance. This brochure is intended to provide information on what victims and their families can expect with regard to the criminal justice process and assistance from the Department of Justice (DOJ) and the Federal Bureau of Investigation (FBI).

What is the Office of Justice for Victims of Overseas Terrorism (OJVOT)?

The OJVOT was established in May of 2005, to ensure that the investigation and prosecution of terrorist attacks which result in deaths and/or injuries of American citizens overseas remains a high priority within the DOJ. The OJVOT coordinates a Joint Task Force with the DOS that is activated in the event of a terrorist attack overseas. In addition, the office is responsible for monitoring the investigation and prosecution of terrorist attacks against Americans abroad, and working with the FBI, other components of the DOJ, and the DOS to ensure that the rights of victims and their families are honored and respected. A full description of the OJVOT's functions can be found on the OJVOT website.

What are the rights of victims of overseas terrorism?

Terrorism against American citizens outside the borders of the U.S. is considered a federal crime. Victims of terrorism are entitled to the same

rights and services from the DOJ and FBI which are afforded to victims of federal crimes occurring in the U.S. These rights include: (1) Information on the status of the case; (2) A point-of-contact for information and assistance in the FBI or the prosecuting United States Attorney's Office (USAO); and (3) Information on, and referrals for, financial and other assistance services for victims. It is important for victims and their families to understand that these rights pertain to information and assistance from the U.S. Government only, and do not require the government of the foreign country in which the attack occurred to provide similar information and assistance.

How is an investigation conducted by the DOJ and the FBI?

U.S. laws give the DOJ and the FBI the authority to investigate and prosecute certain crimes against Americans occurring outside this country. The ability of the FBI to conduct a thorough investigation, especially within the borders of another country, is dependent on the level of cooperation provided by the foreign government. U.S. law enforcement agencies do not have an unconditional right to conduct investigations overseas and therefore must be given access to evidence, witnesses and/or suspects by the country in which the incident occurs. Requests for assistance to or from the foreign government for such information and access must be coordinated with the relevant U.S. embassy and the DOS. Investigations into terrorism crimes overseas may last months or even years. Some countries simply will not allow the FBI to arrest perpetrators who are inside their borders. Likewise, the amount of information

about an investigation that can be shared with victims and their families is necessarily limited by the need to protect the integrity of the investigation and sensitive information related to it.

What assistance can victims expect from the DOJ and the FBI?

The FBI Office for Victim Assistance (OVA) in Washington, D.C., is responsible for providing information and assistance to victims during an investigation. The Terrorism Victim Assistance Unit in the OVA offers immediate assistance to families of victims with information about the repatriation process, autopsies, return of personal effects, emergency travel, documentation for insurance and other benefits, and other crisis intervention services. The OVA also assists by providing information on coping, referrals for counseling, information on victims' compensation and other sources of financial assistance. In addition, the OVA serves as a point-of-contact for victims and their families and may facilitate briefing meetings between victims and FBI officials responsible for the investigation.

How are terrorist acts against Americans prosecuted?

If there is sufficient evidence, an indictment may be brought against the perpetrator or perpetrators in a federal court in this country by a USAO, which is part of the DOJ. The ability of the DOJ to bring perpetrators to justice in the U.S. depends on the ability of the U.S. Government to arrest the perpetrators and/or persuade a foreign government

to extradite them to the U.S. for trial. Some countries have not entered into extradition treaties with the U.S. Even if a treaty exists, it is not unusual for the extradition process to take months, even years. Trials in the U.S. have occurred more than a decade after the crime was committed. Information and assistance will be provided to victims by Victim-Witness Coordinators in the prosecuting USAO, often with assistance from the FBI's OVA. In the event of a conviction or a guilty plea, victims have the right to present a victim impact statement to the court.

In some cases, the perpetrators of a terrorist attack may be arrested and tried by the foreign government. The ability of victims and their families to observe or participate in a foreign prosecution depends upon the laws of that country. The legal systems in most countries do not allow for victims to provide impact statements. The DOS, the DOJ, and the FBI will attempt to monitor the foreign criminal justice proceedings and will make every attempt to keep victims and their families informed.

Obtaining Help and Additional Information

While we can only imagine the depths of your pain and loss, we are determined to be sensitive to your needs and to seek justice on behalf of all who are injured or killed as a result of terrorist attacks.

The Federal Bureau of Investigation and the Justice Department's Office for Victims of Crime can be extremely valuable resources for victims of terrorism. Contact information may be found below:

Federal Bureau of Investigation

Office for Victim Assistance

935 Pennsylvania Avenue, NW

Room 3731

Washington, D.C. 20535

(866) 828 5320 (Toll free)

victim.assistance@ic.fbi.gov

U.S. Department of Justice

Office for Victims of Crime

<http://ovc.ncjrs.org/askovc/>

Phone: 1-800-851-3420 (TTY 1-877-712-9279)

Mail: Office for Victims of Crime Resource Center

National Criminal Justice Reference Service

P.O. Box 6000

Rockville, MD 20849-6000

Hours of operation: 10 a.m. to 6 p.m., Monday through Friday, eastern time

Resources for International Victims:

<http://www.ojp.usdoj.gov/ovc/intdir/welcome.html>



Information for U.S. Victims of Overseas Terrorism and Their Families



**Office of Justice for Victims of
Overseas Terrorism
United States Department of Justice
Criminal Division
10th & Constitution, N.W.
Washington, DC 20530
(202) 532-4100
<http://www.usdoj.gov/criminal/ojvot/>**